

GOVERNMENT OF TELANGANA
ABSTRACT

Labour, Employment, Training & Factories Department – The Bonded Labour System (Abolition) Act, 1976 – Re-Constitution of the District Level and Sub-Divisional Level Vigilance and Monitoring Committee in all (31) Districts of the Telangana State for identification, release and rehabilitation of Bonded Labourers – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (LABOUR) DEPARTMENT

G.O.Ms.No.20,

Dated: 04.04.2018.

Read the following:-

1. Government Circular Memorandum No.3695/H2/97-1, Social Welfare (H2) Department, Dated: 09.06.1997.
2. G.O.Ms.No.127, General Administration (AR&T) Department, Dated: 19.05.2017.
3. From the Commissioner of Labour(FAC), Telangana, Hyderabad, Lr.No.J4/6793/2017, Dated: 23.02.2018.
4. G.O.Ms.No.19, LET&F (Lab) Department, Dated: 04.04.2018.

ORDER:

In the Circular Memorandum 1st read above, the Social Welfare Department, Government of Andhra Pradesh issued orders re-constituting the District Level and Sub-Divisional Level Vigilance and Monitoring Committee in Andhra Pradesh.

2. In the G.O. 2nd read above, the General Administration (AR&T) Department issued orders transferring the subject matter “Scheme of Bonded Labour” from Scheduled Caste Development Department to “Labour, Employment, Training and Factories Department.

3. In the letter 3rd read above, the Commissioner of Labour, Telangana, Hyderabad has furnished proposal for re-constitution of the District Level and Sub-Divisional Level Vigilance and Monitoring Committee in all (31) Districts of the Telangana State for identification, release and rehabilitation of Bonded Labourers.

4. In the G.O. 4th read above, the Government have issued orders re-constituting the State Level Monitoring Committee for elimination of the Bonded Labour and for implementation of the Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016 in Telangana State.

5. Government, after careful examination of the matter, has decided to re-constitute the District Level and Sub-Divisional Level Vigilance and Monitoring Committee in all (31) Districts of the Telangana State for identification, release and rehabilitation of Bonded Labourers under Sub-Sections (2) & (3) of Section-13 of the Bonded Labour System (Abolition) Act, 1976 (Central Act, 19 of 1976).

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6. Accordingly, the following notification shall be published in an Extraordinary Issue of the Telangana Gazette, dated: 07.04.2018.

NOTIFICATION

In exercise of the powers conferred under the provisions of sub-sections (2) & (3) of Section-13 of the Bonded Labour System (Abolition) Act, 1976 (Central Act 19 of 1976), Government of Telangana hereby re-constitutes the District Level and Sub-Divisional Level Vigilance and Monitoring Committee in all (31) Districts of the Telangana State for identification, release and rehabilitation of Bonded Labourers with the following members:

District Vigilance and Monitoring Committee			Sub-Divisional Vigilance and Monitoring Committee		
1	District Magistrate & Collector	Chairman	1	Sub-Divisional Magistrate / Revenue Divisional Officer	Chairman
2	Joint Collector	Convenor	2	Deputy Superintendent of Police / Deputy Commissioner of Police	Member
3	Superintendent of Police / Commissioner of Police	Member	3	Assistant Labour Officer	Convenor
4	Deputy Commissioner of Labour / Assistant Commissioner of Labour	Member	4	(a) Assistant Social Welfare Officer	Member
				(b) Assistant Tribal Welfare Officer	Member
5	(a) District Social Welfare Officer	Member	5	Three persons belonging to the SCs or STs (to be nominated by the Chairman)	Member
	(b) District Tribal Welfare Officer	Member			
6	One person to represent the financial and credit institutions (Banks) in the District (to be nominated by the District Magistrate)	Member	6	Two Social Workers (to be nominated by the Chairman)	Member
7	Three persons belonging to the SCs / STs (to be nominated by the District Magistrate)	Member	7	Three persons to represent official or non-official agencies in the sub-divisional connected with Rural Development (to be nominated by the District Magistrate)	Member
8	Two Social Workers (to be nominated by the District Magistrate)	Member	8	One person to represent the financial and credit institutions (Banks) in the sub-divisional (to be nominated by the Chairman)	Member
9	Three persons representing official or non-official agencies (Voluntary) in the District connected with Rural Development (to be nominated by the District Collector)	Member	9	One officer in the sub-division specified by the District Magistrate	Member
10	Representatives of District Legal Services Authority (District Level) (to be nominated by the District Magistrate)	Member	10	Representatives of District Legal Services Authority (Sub-Divisional Level) (to be nominated by the Chairman)	Member

7. The above committees will discharge the following functions:-

- a) Advise the District Magistrate or any officer authorized by him as to the efforts made and action taken, to ensure that the provisions of this Act or of any rule made there under are properly implemented;
- b) Provide for the economic and social rehabilitation of the freed bonded labourers;
- c) Co-ordinate the function of rural banks and co-operative societies with a view to canalising adequate credit to the freed bonded labourers;
- d) Keep an eye on the number of offenses for which cognizance has been taken under this Act;
- e) Make a survey as to whether there is any offence of which cognizance ought to be taken under this Act;
- f) Defend any suit instituted against a freed bonded labourer or a member of his family or any other person dependent on him for the recovery of the whole or part of any bonded debt or any other debt which is claimed by such person to be bonded debt.

Vigilance committee may authorize one of its member to defend a suit against a freed bonded labourer and the members authorized shall be deemed, for the purpose of such suits, to be authorized agent of the freed bonded labourer.

g) Ensure implementation of the provisions of the Act by taking steps to:-

- i) Identify bonded labourers and examine their conditions;
- ii) Re-negotiate wherever possible working conditions of bonded labourers with the employers on the basis of the employer's public undertaking to re-establish legal rights and clear dues provided that safety of the bonded labour can be guaranteed and the employer kept under watch to prevent re-lapse into bondage;
- iii) Receive information about locals who are held in bondage in other States, and report details to the Government for action;
- iv) Facilitate rescue efforts by involving the police, district and labour officials, legal – aid members or lawyers, NGO's both within the area or from other States with respect of labourers originating from the area;
- v) Assist the released bonded labourers in registering an FIR and obtaining the "release certificate" and where necessary follow up on the same;
- vi) Serve as reception and rehabilitation committee in respect of released bonded labourers originating from the area;
- vii) Ensuring that the immediate need for food, health, clothing, transportation and interim housing arrangement are taken care of;
- viii) Provide counseling and psychological support in trauma conditions through trained personnel and also assist the family unit to re-integrate in society;
- ix) Ensure that subsistence grant of Rs.20,000 per bonded labour, as required by the law, is paid immediately.

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- x) Ensure that the provisions of the Bonded Labour System (Abolition) Act, 1976 relating to extinguishment of bonded debt, non-ouster from homestead, restoration of property or release of property from mortgage, recovery of dues and compensation where applicable, are implemented;
- xi) Ensure that the release rehabilitation be a single composite step with long-term sustainable arrangements finalized within three months, as far as possible;
- xii) Consult the freed labourer on the method of his rehabilitation, considering his or her background, and specific needs and talents;
- xiii) Provide consumption loan or monthly sustenance, being a reasonable amount, in the interregnum between release and rehabilitation or until suitable employment is found;
- xiv) Arrange alternative wage-employment through preferential treatment to the released individual.
- xv) Arrange or extend skill training or other adult education schemes utilizing the help of private or voluntary sector;
- xvi) Assist the freed labourer in obtaining financial assistance, subsidies through state funds or from nationalized banks.
- xvii) Endeavour to rehabilitate the individual in the same occupation. Co-operatives or collectives, wherever feasible, be encouraged for groups or released bonded labourers, on a preferential basis and all the complementary assistance such as training and managerial and marketing support be provided;
- xviii) Be vigilant against abuse or misappropriation of rehabilitation benefits by recommending stringent action against offenders;
- xix) Review rehabilitation efforts to assess if second dose or additional measures are necessary;
- xx) Recommend long-term measures through convergence of anti-poverty schemes, specific development programs and welfare measures including housing, cultivable land where bonded labourers receive preferential treatment;
- xxi) Assign rehabilitation package, in the name of the women of the household;
- xxii) Take all steps to prevent and preempt entrapment into bondage, through enforcement of the Bonded labour system (Abolition) Act, 1976;
- xxiii) Critically assess the socio-economic condition creating bondage and devise means of curbing them;
- xxiv) Study sensitive occupations known to employ bonded labour and employ specific measures;
- xxv) Review the functioning of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the Contract Labour (Regulation and Abolition) Act, 1970 to prevent its abuse for employing bonded labour;
- xxvi) Maintain a list of employers of bonded labour, recruiters and agents and initiate criminal action against them and follow up diligently with prosecutions;

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xxvii) The principal employer will be liable for offenses under the Bonded Labour System (Abolition) Act, 1976;

xxviii) Step up enforcement of the Minimum Wages Act.

8. Further it is decided that one Vigilance and Monitoring Committee shall be constituted at District Level in every District and one Vigilance and Monitoring Committee each shall be constituted at Sub-Divisional Level in every Revenue Sub-Divisions in the State.

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9. All the District Collectors are requested to constitute the Vigilance and Monitoring Committees at District and Sub-divisional level as above by notifying in the District Gazette and send the copies of the notification to the Commissioner of Labour for record.

10. The District Collectors are directed to ensure that meetings of Sub-divisional level committees are conducted every month. The District level Committee meetings shall be conducted for every quarter and proceedings of these meeting should be sent regularly to the Commissioner of Labour. The Commissioner of Labour shall review these reports and send quarterly progress report to the Government.

11. The District Collectors must send their monthly and quarterly progress reports in the already prescribed formats to the Commissioner of Labour, Telangana, Hyderabad.

12. The District and Sub-divisional level Vigilance and Monitoring committees shall maintain all the registers as prescribed in Section 7 of the Bonded Labour System (Abolition) Act, 1976.

13. The Commissioner of Labour, Telangana, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. SHASHANK GOEL,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationary and Stores Purchases (PW),
Chanchalguda, Hyderabad.

All the District Collectors in the State.

All Sub-Divisional Police Officers / Revenue Divisional Officers /
Sub-Collectors / Assistant Collectors.

All Superintendents of Police of the State.

The Commissioner of Labour, Telangana, Hyderabad.

The Commissioner of Scheduled Caste, Telangana, Hyderabad.

The Commissioner of Tribal Welfare, Telangana, Hyderabad.

Copy to:

The P.S. to Special Secretary to Chief Minister

The P.S. to Minister (Home & Labour)

The P.S. to Chief Secretary to Government

The Scheduled Caste Department

The Law (F) Department

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// FORWARDED :: BY ORDER //

SECTION OFFICER